

REMARKS

Claims 1-3 and 5-15 are all the claims now pending in the application. Claims 7-15 have been withdrawn from consideration. Applicant affirms the election of claims 1-6 in response to the restriction requirement. Claim 4 has been canceled and the subject matter of claim 4 has been incorporated into claim 3.

I. Claim Rejections under 35 U.S.C. § 112

Claims 2, 4 and 6 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner is apparently confused as to how the end resin can be both on the ends (as in the independent claims) and enveloped within the center resin. Applicant has amended claims 2 and 6, and now submits that these claims are no longer indefinite. Accordingly, Applicant requests that the rejection of claims 2, 4 and 6 under 35 U.S.C. § 112 be reconsidered and withdrawn.

II. Claim Rejections under 35 U.S.C. § 102

Claim 3 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Peiffer et al. (U.S. Patent No. 5,716,570). Applicant has amended claim 3 to incorporate the limitations of claim 4. Since claim 4 was originally rejected under 35 U.S.C. § 103(a) and not under 35 U.S.C. § 102(b), Applicant will address the rejection of amended claim 3 below.

III. Claim Rejections under 35 U.S.C. § 103

The Examiner makes the following rejections:

- Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cloeren (U.S. Patent No. 5,120,484) in view of Thompson (U.S. Patent No. 4,272,312) and Gruber et al. (U.S. Patent No. 5,594,095).
- Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Thompson, Gruber et al. and Mehra et al. (U.S. Patent No. 5,700,412).
- Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cloeren in view of Thompson and Pheiffer et al.
- Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Thompson, Pheiffer et al. and Mehra et al.
- Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Cloeren in view of Thompson, Gruber et al., and Pheiffer et al.
- Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Thompson, Gruber et al., Pheiffer et al. and Mehra et al.

Regarding claims 1 and 5, to establish a *prima facie* case of obviousness the Examiner must show that the prior art references, when combined, teach or suggest all of the claim limitations. *See MPEP § 2143*. Applicant submits that the references cited above by the Examiner fail to teach or suggest all of the claim limitations as set forth in claims 1 and 5. Specifically, the references fail to teach or suggest that the second resin has an extension viscosity higher than that of the first resin. The Examiner relies on the teachings of Gruber to teach “that low extension viscosities make films that are prone to neck-in. (Col. 6. ll. 13-17).”

However, the Examiner's characterization of the disclosure of Gruber is misleading and inaccurate. Gruber teaches that "if both extensional and shear viscosities are substantially decreased by decreasing molecular weight, a lactide polymer resin may require less force to flow readily through the conventional processing equipment, but the resin will be more prone to neck." In other words, Gruber only teaches that if both extensional and shear viscosities are substantially decreased will the resin be prone to neck. Gruber fails to teach or suggest that increasing extensional viscosity of one resin relative to another resin alone will have lower neck-in characteristics. As such, the Examiner has failed to establish a *prima facie* case of obviousness with respect to claims 1 and 5.

Regarding claims 2, 3 (formerly claim 4) and 6, the cited references fail to teach or suggest "fusing a first resin and a second resin to form said fused resin by providing at least one flow path near each end in a width direction of a discharge port of said extruder die or near a supply port of said extruder die such that each flow path is enveloped by said first resin and supplying said second resin to said flow paths." The Examiner relies on the disclosure of Mehra to teach providing "islands" of a second resin enveloped in the end portions of the first resin. However, Mehra (as well as the other cited references) fail to teach providing flow paths at the discharge port or supply port of the extruder die to envelope the second resin within the first resin. Mehra teaches that "islands" of polyolefin is "blended" with an extruded combination of two polymers. In other words, the "islands" of polyolefin are not extruded from flow paths located near each of a discharge port of an extruder die or near a supply port of an extruder die. The "islands" of Mehra are mixed (not extruded) subsequent to the extruding process.

AMENDMENT UNDER 37 C.F.R. § 1.111
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Accordingly, neither Mehra nor any other cited reference, teaches fusing a first resin and a second resin to form said fused resin by providing at least one flow path near each end of a discharge port or supply port of said extruder die such that each flow path is enveloped by said first resin and supplying said second resin to said flow paths.

In view of the above remarks, Applicant submits that the references cited by the Examiner fail to teach or suggest all of the limitations of the claimed invention. Accordingly, Applicant requests that the rejection of claims 1-3 and 5-6 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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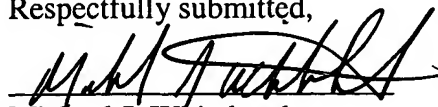
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Respectfully submitted,



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